Attorney Docket No.: Q79410

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Application No.: 10/788,473

## **REMARKS**

Claims 1-3, 5-11 and 13-15 are all the claims pending in the application. Previously, claims 4 and 12 were canceled without prejudice or disclaimer. By this Amendment, Applicant amends claims 1, 5, 7, and 14, and adds new claims 16-20. Support for the new claims and the amendments is found throughout the specification, *e.g.*, at pages 3-5 of the specification as filed. No new matter is added. Reconsideration and allowance of claims 1-3, 5-11, 13-15, and new claims 16-20 are respectfully requested in view of the following remarks.

# I. Prior Art Rejections

Claims 1-3, and 6

Claims 1-3, and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,167,464 to Kretschmann (hereinafter "Kretschmann") in view of U.S. Patent No. 5,879,092 to Brannan (hereinafter "Brannan").

Applicant respectfully traverses this rejection because the references fail to teach or suggest all of the elements as set forth and arranged in the claims.

Amended claim 1 recites: "in the case of the <u>contemporaneous</u> reception of a plurality of different signals transmitted by transmitters in different installation parts, different priorities are automatically assigned to the received signals."

The Examiner acknowledges that Kretschmann fails to teach receiving a plurality of unique location tag signals and automatically assigning different priorities to the received signals.

Brannan is relied upon only for its alleged disclosure of assigning different priorities to a plurality of different signals. However, Brannan does not disclose or even suggest the <a href="mailto:contemporaneous">contemporaneous</a> reception of a plurality of different signals to which the priorities are assigned,

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as recited in claim 1. Instead, in Brannan "[t]he electronic circuit provides a paper low signal when the second detector senses that the paper supply has been reduced to a sufficiently small size that replacement is warranted." See col. 4, lines 36-39. Another "fault signal . . . of a paper jam condition is generated . . . if the second detector senses sufficient paper, but the first detector has failed to sense movement of the paper." See col. 4, lines 24-27. "The processor is programmed to provide fault signals when a <u>combination</u> of certain conditions are detected in accordance with the programming of the processor." See col. 4, lines 19-23.

In other words, Brannan does not disclose or suggest a method for addressing the contemporaneous reception of a plurality of different conditions to provide a fault signal.

Brannan simply teaches that a combination of certain conditions triggers a fault signal. By contrast, according to claim 1, "in the case of the contemporaneous reception of a plurality of different signals . . . different priorities are automatically assigned to the received signals."

As a consequence, Brannan does not cure the deficient disclosure of Kretschmann.

Therefore, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be reconsidered and withdrawn. Claims 2-3, and 6 are patentable at least by virtue of their dependency on claim 1.

#### Claims 7-11, 13, and 15

The Examiner has rejected claims 7-9, 11 and 15 but failed to present detailed grounds of rejection in support of those rejections. However, claims 7-9, 11 and 15 appear to be rejected under 35 U.S.C. §103(a) as being unpatentable over Kretschmann and in view of Brannan..

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kretschmann and in view of Brannan. Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable

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over Kretschmann in view of Brannan and further in view of U.S. Patent No. 5,963.145 to Escobosa (hereinafter "Escobosa"). Applicant respectfully traverses this rejection.

Claim 7 recites: "the mobile display device comprises a collision recognition component which, in the case of the <u>contemporaneous</u> reception of a plurality of different signals, automatically assigns a different priority to each of the received signals." Applicant submits that amended claim 7 is patentable for at least analogous reasons as claim 1. Without further commenting on, or agreeing with, the grounds of rejection of claims 9-11, 13, and 15, these claims are patentable at least by virtue of their dependency on claim 7.

Therefore, Applicant respectfully requests that the rejection of claims 7-11, 13, and 15 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

## II. Allowable Subject Matter

The Examiner objected to claims 5 and 14 as being dependent upon a rejected base claim but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *See* page 6 of the Office Action.

Applicant rewrites allowable claims 5 and 14 into their independent forms. Accordingly, as acknowledged by the Examiner, new independent claims 5 and 14 should now be allowable.

## III. New Claims

In order to provide more varied protection, Applicant adds claims 16-20. Support for the newly added claims is found throughout the specification, *e.g.*, at page 5 of the specification as filed. Claims 16 and 19 are believed to be allowable, because they recite different priorities to be assigned according to a significance ranking, *e.g.*, signaling an error or signaling an emergency.

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Claim 17 is believed to be allowable because it recites assignment of the different

priorities that is configured by an operator and claims 18 and 20 are allowable because they

recite that, in the case of the reception of a plurality of different signals, different priorities are

assigned only if there is a contemporaneous reception of these signals.

The prior art does not teach or suggest these additional unique features of new claims 16-

20.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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